

Interview Summary

Application No.
10/049,552

Applicant(s)
Martin et al.

Examiner
Christopher Tate

Art Unit
1654

All participants (applicant, applicant's representative, PTO personnel):

(1) Christopher Tate

(3) Melanie Mealy

(2) Kailash Srivastava

(4) _____

Date of Interview Jan 29, 2004

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy is given to 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:

Claim(s) discussed: All, in general

Identification of prior art discussed:

All, in general

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicant's representative presented proposed new claims. As drafted, the examiners felt the USC 112, 102, and 103 rejections still applied to the proposed new claims. Discussed various amendments to the proposed claims which would appear to help define and distinguish the instant invention - including cancelling the product claims, cancelling all claims drawn to a derivative of the cultural biomass as well as methods of using a derivative of the cultural biomass. The examiners suggested that the cultural biomass within the remaining independent claims be defined as a product-by-process using instant Example 1 as a guide. Examiners also suggested limiting the bacterium to the two demonstrated species - i.e., Ps. vesicularis and Ps. maltophilia (also to help overcome the USC 112 and art rejections).

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached



CHRISTOPHER TATE
PRIMARY EXAMINER
ART UNIT 1654

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required